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GENERAL ASSEMBLY
Forty-sixth session
Agenda items 33, 35 and 46
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
CONSEQUENCES OF THE IRAQI OCCUPATION
OF AND AGGRESSION AGAINST KUWAIT

SECURITY COUNCIL
Forty-sixth year

Letter dated 30 December 1991 from the Chargé d'affaires a.i.
of the Permanent Mission of Kuwait to the United Nations
addressed to the Secretary-General

On instructions from my Government, I enclose herewith the "Final Declaration" (annex I) and "the Declaration of Kuwait" (annex II) issued by the twelfth session of the Supreme Council of the Gulf Cooperation Council (GCC), held in Kuwait during the period from 23 to 25 December 1991.

I should be grateful if you would have this letter and the enclosures circulated as a document of the General Assembly, under agenda items 33, 35 and 46, and of the Security Council.

(Signed) Mohammad A. AL SALLAL
Chargé d'affaires, a.i.

ANNEX I

Final Declaration adopted by the Supreme Council of the Gulf Cooperation Council at its twelfth session, held at Kuwait from 23 to 25 December 1991

At the invitation of His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, Amir of the State of Kuwait, the Supreme Council held its twelfth session at Kuwait from 22 to 25 December 1991. The following were present:

His Highness Sheikh Zayed Bin Sultan Al-Nahyan, President of the United Arab Emirates;

His Highness Sheikh Isa Bin Salman Al-Khalifa, Amir of the State of Bahrain;

The Custodian of the Two Holy Mosques, King Fahd Bin Abdul-Aziz Al Saud, King of Saudi Arabia;

His Majesty Sultan Qaboos Bin Said, Sultan of Oman;

His Highness Sheikh Khalifa Bin Hamad Al-Thani, Amir of tne State of Qatar;

His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, Amir of Kuwait.

Aggression of the Iraqi regime against the State of Kuwait

The Supreme Council considered regional developments in the Gulf in light of the liberation of Kuwait and the restoration of its freedom and independence, praising God, the Most High, the Almighty, for the success He has granted in the defeat of aggression and the aggressor, and congratulating Kuwait, its leadership and its people, on the restoration of legitimacy under the leadership of its Amir, His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, Amir of Kuwait.

The Supreme Council expresses its pride in the spirit of fraternal solidarity and principled mutual assistance that has prevailed among its member States, and it records with admiration the fact that the citizens of the GCC States adopted a stance that attests to the strength of the commitment, interlinkage and unity of destiny of the members of the Gulf family and manifests the authentic cohesion existing between citizens and their leaders. The Council values the sacrifices made by citizens in time of trial and adversity.

The Supreme Council commends the support provided by the fraternal and friendly countries which took a stand for truth, justice and the principles of international law that had an active part in giving expression to the

international will and giving effect to resolutions embodying international legitimacy. It expresses its esteem and gratitude for such historic contributions to the defence of the rule of law, the advancement of justice, the establishment of solid foundations for security and stability in the region and the promotion of international peace as a whole. The Council stresses the stance taken by its member States towards the Iraqi regime in their refusal to treat with it until such time as it commits itself to the implementation of all the Security Council resolutions relating to its aggression against the State of Kuwait.

The Supreme Council beseeches the Lord God Almighty to shelter the martyrs of truth and duty in His boundless paradise and to encompass them with His infinite mercy.

The Supreme Council notes with deep concern that the Iraqi regime continues to temporize and to obstruct the implementation of a number of the provisions contained in the Security Council resolutions relating to its aggression against the State of Kuwait. The Council condemns such policies of procrastination and affirms that it will resist attempts to circumvent United Nations resolutions. It calls upon Iraq to expedite the implementation of all the relevant Security Council resolutions. It stresses, in particular, the need for the full and speedy implementation of the terms of the cease-fire and all the provisions of Security Council resolution 687 (1991), particularly those relating to the immediate release of all prisoners and detainees, both Kuwaitis and third-country nationals, the demarcation of the boundaries between Kuwait and Iraq and the payment of compensation for the human losses and material damage caused by its aggression.

The Supreme Council urges the international community, and in particular the Security Council, to bring greater pressure to bear on the Iraqi regime to ensure the full and immediate implementation of United Nations resolutions and to prevent the Baghdad regime from evading its international obligations.

The Supreme Council notes with deep regret the sustained suffering of the Iraqi people, which continues to pay the price for the ruinous policy of the Iraqi regime, its continued intransigence, its disregard for the norms of international conduct and the provisions of international legitimacy, the perpetuation of its policy of repressing its people and its insistence on protracting their suffering and the human tragedy that they are enduring. The burden of the Iraqi people can only be mitigated or removed by the compliance of the Iraqi regime with its international obligations and by the full implementation of Security Council resolutions, including resolutions 706 (1991) and 712 (1991) which make it possible for the humanitarian, food and medical needs of the Iraqi people to be met.

Functioning of the Gulf Cooperation Council

The Supreme Council reviewed the outcome of a decade of joint action in the political, security, military, economic and social fields. It expresses its satisfaction at the achievements made in well-being, growth and development through coordination, integration and unification with a view to achieving the aspirations of the citizens of the GCC States.

Proceeding from a firm conviction of the importance of promoting security and military cooperation among its member States and strengthening their defence capacities in light of the lessons learnt from the aggression of the Iraqi regime, the Supreme Council affirms its determination to maintain coordination and cooperation in the military and security field and to develop defensive capabilities in the framework of a unified strategic vision that will fulfil the requirements of security, be capable of meeting the challenges of the situation, achieve stability and guarantee the non-recurrence of aggression.

The participants express their great esteem and deep gratitude to His Highness Sultan Qaboos Bin Said, Sultan of Oman, for his endeavours on assuming responsibility for the Supreme Security Committee, for his generous devotion to the work of the Committee and his patronage of its deliberations, and for investing his expertise in the comprehensive strategic report prepared for the Summit, thereby expressing his faith in the future of the Council and his concern that its work should be marked by meticulous and objective preparation.

The Supreme Council affirms its resolve rapidly to pursue a course of joint action to consolidate the structure of cooperation and to maintain a constant responsiveness to the aspirations of citizens as well as to nourish this worthy process so that the goals desired of it may be achieved. It further affirms its determination to make greater qualitative achievements on the basis of the schedules established by the ministerial committees for the progressive implementation of the provisions of the unified economic agreement so as to strengthen the interlinkage of interests among citizens, undertake a greater number of joint projects and eliminate all obstacles to the movement of citizens and goods and to the flow of investments. To the specialized ministerial committees, it stresses the need for the speedy adoption of the necessary steps for the full implementation of the remaining provisions of the unified economic agreement.

Given its belief and conviction that the States of the Gulf Cooperation Council have a role to play in contributing to global Arab development and that the mobilization of local and international resources for the achievement of that end in accordance with the concepts of the free economy is of the utmost importance, the Council adopted an agreement establishing the Programme of the Gulf Cooperation Council in support of economic development efforts in the Arab States, in accordance with the considerations, principles and goals laid down in the decision to establish the Programme taken at the Doha Summit.

The current inter-Arab situation

The Supreme Council considered the developments that have taken place in the peace efforts in the Middle East, and it commended the sustained and sincere endeavours being made by the international community and in particular by the United States.

While expressing in this connection its satisfaction at the results of the peace conference held in Madrid, in which the Gulf Cooperation Council participated in the capacity of observer, the Supreme Council expresses its deep regret at the delay in the bilateral negotiations that began in Washington on 10 December 1991 owing to the fact that the readiness of the Arab delegations to enter into serious and purposeful negotiations was met by continued Israeli intransigence and by Israeli attempts to thwart the peace process. As it looks forward to a forthcoming round of bilateral negotiations in January 1992 free of further Israeli obstacles or the raising of procedural formalities, the Supreme Council is hopeful that the negotiations will achieve material progress towards reaching the desired goals.

The Supreme Council affirms its support for the peace efforts and the determination of its member States to participate in the multilateral meetings in an endeavour on their part to promote regional security by finding fundamental solutions to all the conflicts in the region in the light of a new world order that embodies the desire for peace and strengthens international stability and as their contribution to advancing the peace process and to the achievement of a just and comprehensive solution to the Arab-Israeli conflict and the question of Palestine that will ensure the legitimate rights of the Palestinian people and the restoration of the occupied Arab territories, and especially Jerusalem, on the basis of the implementation of Security Council resolutions 242 (1967) and 338 (1973), and of the principle of land for peace.

The Supreme Council stresses the need to rid the entire Middle East region of all types of weapons of mass destruction, including nuclear, chemical and biological weapons.

The Council expresses its deep concern and indignation at the fact that the Israeli occupation authorities are persisting in their policies aimed at establishing illegal settlements in the occupied Arab territories, at the continuing violation of the sanctity of the Haram al-Sharif and at the abusive practices against the Palestinian people and the mounting casualties of the occupation in terms of persons killed, wounded, detained, displaced and deported. The Council condemns policies aimed at the forcible imposition of faits accomplis and acts of violence which are not in keeping with the current peace efforts. It reaffirms its full support and backing for the steadfastness shown by the Palestinian people in the occupied Arab territories.

The Council welcomes the positive developments that have taken place in Lebanon and the steps taken by its Government to safeguard the country's independence, territorial integrity and sovereignty and bring about national

reconciliation. It calls for the full and unconditional implementation of Security Council resolution 425 (1978) and the withdrawal of Israeli forces from southern Lebanon without delay or procrastination, and it reiterates its support for the International Fund for the Reconstruction and Development of Lebanon.

In the context of its review of inter-Arab relations in light of the consequences of the Iraqi aggression against the State of Kuwait, the Council expresses its deep satisfaction at the successful cooperation between the GCC States, the Arab Republic of Egypt and the Syrian Arab Republic in the framework of the Damascus Declaration. It affirms its aspiration to realize the purposes and principles agreed upon by the eight States and looks forward to the Declaration creating bright prospects for Arab interaction and cooperation in its role as a nucleus for resolute Arab action within the framework of the Pact of the League of Arab States and an essential contribution to the elaboration of well-established and clear principles based on a commitment, in attitude and conduct, to inter-Arab and international covenants that will advance joint Arab interests.

The Council further affirms that its dealings in the framework of inter-Arab relations will be on the basis of the principles set forth in the Damascus Declaration, and it calls upon the Arab States to support this position and to abide by these principles.

The Council expresses its deep concern and sorrow at the deteriorating security situation and the continuing divisions between brothers in Somalia. It affirms its support for the Somali people in its painful ordeal and urges all national Somali forces to eliminate the causes of the dispute among them, to give precedence to the national interest over all other, sectoral, interests and to strive for the unity and integrity of Somalia, since such is their first and major responsibility. The Council commends the good offices of the Custodian of the Two Holy Mosques, King Fahd Bin Abdul-Aziz, and it looks forward to the return of security and stability to Somalia given the country's importance for peace and stability in the entire region of the Horn of Africa.

Relations with Iran

Having heard the presentation of His Highness Sheikh Khalifa Bin Hamad Al-Thani, Amir of the State of Qatar and Chairman of the Supreme Council at its last session, on the contacts established by the office of the Chairman with the Islamic Republic of Iran concerning relations between the GCC States and Iran, and recalling its resolution adopted at the Doha Summit affirming a desire for improved relations with that country, the Council expresses its satisfaction at the positive and substantial evolution of relations between the two sides. It affirms its concern to promote bilateral relations with the Islamic Republic of Iran in advancement of common interests, in keeping with Islamic and international principles and covenants, so as to reflect the closeness of their links of religion and neighbourliness.

The international situation

The Supreme Council has monitored the positive international developments - the end of the Cold War, the containment of the long-standing ideological conflict, the disappearance of political barriers, the endeavour to end the arms race, the trend towards constructive international cooperation in seeking radical solutions to regional tensions by peaceful means and by practical and rational methods, the adoption of policies of international openness and economic freedom and the endeavour to promote development and to utilize resources for the good and well-being of peoples. The Council expresses its deep satisfaction at these developments, and it affirms the determination of its member States to make an active contribution to laying the foundations of the new world order and to participate in international efforts for the establishment of that order on a basis of justice and fairness, in keeping with the higher interests of the GCC States.

The Supreme Council has followed with great interest ongoing events and developments in the Soviet Union. It expresses the satisfaction of the GCC States at the establishment of the Commonwealth and their readiness to recognize its members given the commitment of the States in question to international treaties and agreements. The GCC States are further hopeful that the political leadership in the independent republics will be able to contribute to the promotion of stability, security and peace in the world.

The Supreme Council expresses its deep appreciation and gratitude to His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, Amir of Kuwait, and to his Government and people, for their warm reception and kind hospitality and for the sincere sentiments of brotherliness with which the leaders of the GCC States were received. It commends the meticulous preparation made and the considerable effort undertaken to ensure the comfort of delegations, the success of the meeting and the achievement of the positive results obtained. It beseeches the Lord God Almighty to grant His Highness lasting health and happiness and to safeguard Kuwait and its people from all adversity.

The Council looks forward to meeting at its thirteenth session, to be held in the United Arab Emirates in December 1992 at the kind invitation of its President, His Highness Sheikh Zayed Bin Sultan Al-Nahyan.

Kuwait, 25 December 1991

ANNEX II

Kuwait Declaration

The States of the Gulf Cooperation Council,

Proceeding on the basis of the sentiments of brotherhood and solidarity that bind them,

Giving concrete expression to their unity of purpose, their common destiny and the higher interests of their peoples,

Seeking to strengthen their capacity to meet their responsibilities in ensuring security, stability and prosperity for those peoples,

Seeking to embody that most magnificent manifestation of cohesion exemplified in the intermingling of pure Gulf blood on the soil of Kuwait, thereby recording the most sublime illustration of sacrifice and generosity,

Anxious to realize the purposes and principles set forth in the statute of the Council,

Desiring to achieve that greater cooperation and coordination in the political, security, military, economic and social fields that is conducive to their unity, in accordance with the noble aspiration of the leaders of the States of the Gulf Cooperation Council to strengthen the bonds of cohesion among the citizens of the GCC States,

Conscious of the changes and new developments in the regional and international arenas and that the enormous challenges that they pose will require vigorous and assiduous action if the highest levels of coordination and cooperation among them are to be achieved,

Affirming their position of rejecting the way of aggression and of partiality thereto, as exemplified by the naked Iraqi aggression against and brutal occupation of the State of Kuwait and by the threat that that aggression posed to all the GCC States,

Regarding any act of aggression against any member State as aggression against all member States, viewing the security of the GCC States as an integral whole, and considering the aggression that took place as a departure from all established inter-Arab, Islamic and international rules, customs and values and an eschewal of a multitude of the concepts and achievements of joint Arab action,

Expressing their deep appreciation and gratitude to the Arab, Islamic and friendly States that defended the right and condemned the aggression and took action for its removal,

And in the framework of their adherence to the purposes and principles enshrined in the covenants and resolutions of the League of Arab States, and in the Damascus Declaration and embodied by the Organization of the Islamic Conference and the United Nations,

Hereby declare:

1. That the GCC States shall, in their international dealings, strive to respect the principles of good-neighbourliness, respect for the sovereignty of States and the inadmissibility of the acquisition of territory by force, non-interference in the internal affairs of States, the peaceful settlement of disputes and respect for the sovereignty of each State over its resources.

2. That the GCC States stress the unity of their position in confronting the Iraqi regime and the regimes which cooperated with it in its criminal aggression against Kuwait, shall not allow those regimes the opportunity to violate that position and are resolved to maintain that position until such time as the Iraqi regime has implemented all the Security Council resolutions relating to its aggression against the State of Kuwait.

3. That the GCC States shall support inter-Arab action in the framework of the League of Arab States, shall consider the purposes and principles set forth in the Damascus Declaration as a basis on which to build a new Arab order and shall regard the Programme of the Gulf Cooperation Council in support of economic development efforts in the Arab States as the basis for any efforts aimed at achieving economic development in those States.

4. That the GCC States shall support the peace efforts aimed at achieving a just and durable solution to the Palestine issue and bringing an end to the Arab-Israeli conflict on the basis of United Nations resolutions, particularly Security Council resolutions 242 (1967) and 338 (1973), which are based on the principle of land for peace, and Security Council resolution 425 (1978), concerning the withdrawal of Israel from southern Lebanon without restrictions or conditions, and that they confirm their participation in the third phase given that the achievement of a just and comprehensive peace and agreement on addressing the issues which will be broached in this phase are in accord with their higher interests.

5. That the GCC States welcome, and congratulate Lebanon on, the positive steps taken by the Lebanese Government in its efforts to ensure security, stability and prosperity for its people, and that they express their readiness to contribute to the promotion of such efforts.

6. That the GCC States welcome the ongoing changes in the international arena and particularly those relating to the dawn of the new world order, considering as they do that the liberation of Kuwait is one of the first fruits of that order, that that order secures for all States, large and small, the right to live in security and peace and reaffirms their right to control

their natural economic resources, and that such changes can ensure the requirements of security and stability for the GCC States in such a way as to safeguard their higher interests.

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Letter dated 30 December 1991 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

On the instructions of my Government, I have the honour to inform you that the United States air force is continuing to violate Iraqi air space. Here is a list of the most recent violations:

Date	Details
18/19 December 1991	Eight sorties flown by four two-aircraft formations. These sorties, carried out at speeds of 680 to 900 kilometres per hour and at altitudes of 4,500 to 6,000 metres, were centred on Mosul, Arbil, Dohuk, Tall Afar, Zakho and Al Amadiyah. At 0955 hours, two F-16 aircraft flying at 600 kilometres per hour and at an altitude of 1,000 metres, flew over the Al Faruq airport.
19/20 December 1991	20 sorties flown by 10 two-aircraft formations. These sorties, carried out at speeds of 750 to 980 kilometres per hour and at altitudes of 1,000 to 6,000 metres, were centred on Al Amadiyah, Dohuk, Zakho, Mosul, Arbil, Tall Afar, Sangar, Ayn Zalah, Dukan and Rawanduz.
20/21 December 1991	19 sorties flown by nine two-aircraft formations and one single aircraft. These sorties, carried out at speeds of 600 to 900 kilometres per hour and at altitudes of 1,000 to 8,000 metres, were centred on Dohuk, Zakho, Mosul, Arbil, Tall Afar, Ayn Zalah and Al Amadiyah.

Date	Details
22/23 December 1991	23 sorties flown by 11 two-aircraft formations and one single aircraft. These sorties, carried out at speeds of 600 to 950 kilometres per hour and at altitudes of 2,000 to 7,500 metres, were centred on Zakho, Dohuk, Mosul, Tall Afar, Ayn Zalah, Arbil and Al Amadiyah. At 0905 hours, a formation of F-111s flying at a speed of 700 kilometres per hour and at altitude of 1,000 metres approached the Al Faruq and Firnas airports.
23/24 December 1991	38 sorties flown by 19 two-aircraft formations. These sorties, carried out at speeds of 600 to 900 kilometres per hour and at altitudes of 1,500 to 6,000 metres, were centred on Mosul, Dohuk, Zahko, Al Amadiyah, Arbil, Tall Afar, Dukan and Ayn Zalah.
24/25 December 1991	20 sorties flown by 10 two-aircraft formations. These sorties, carried out at speeds of 600 to 900 kilometres per hour and at altitudes of 3,000 to 7,500 metres, were centred on Arbil, Mosul, Tall Afar, Al Amadiyah, Dohuk and Zakho. Between 1018 and 1311 hours, six two-aircraft formations consisting of F-16, F-111 and F-14 aircraft, flew over Al Faruq airport at speeds of 500 to 600 kilometres per hour and at altitudes of 100 to 1,500 metres.
27/28 December 1991	24 sorties flown by 12 two-aircraft formations. These sorties, carried out at speeds of 600 to 900 kilometres per hour and at altitudes of 3,000 to 6,500 metres, were centred on Mosul, Arbil, Dohuk, Al Amadiyah, Tall Afar and Zakho.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Sabah Talat KADRAT
Deputy Permanent Representative,
Chargé d'affaires, a.i.

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NOTE BY THE SECRETARY-GENERAL

The attached note verbale, dated 30 December 1991, was addressed to the Secretary-General by the Permanent Observer Mission of Switzerland to the United Nations.

Annex

Note verbale dated 30 December 1991 from the Permanent Observer Mission of Switzerland to the United Nations addressed to the Secretary-General

[Original: French]

The Permanent Observer of Switzerland to the United Nations has the honour to refer to the Secretary-General's note of 16 December 1991, in which he solicited information on the measures taken by the Swiss authorities to comply with the provisions of paragraph 6 of Security Council resolution 713 (1991) of 25 October 1991. The Permanent Observer is pleased to convey the information requested, as follows:

(1) The federal law on war materiél of 30 June 1972 provides that all such materiél requires the authorization of the Swiss authorities.

(2) Article 11(2) of the said law stipulates that no authorization shall be granted for exports to territories where conflict has broken out or is threatened or where dangerous tensions exist, or where it appears that human rights are not respected.

(3) With respect to Yugoslavia, the above-mentioned provisions of article 11 were already sufficient for any export of military materiél to be disallowed as of October 1990.

(4) Under article 102(8) of the Swiss Federal Constitution, the Swiss authorities have issued an order absolutely forbidding Yugoslav nationals to acquire and bear arms. The order was issued on 18 December 1991 and entered into force immediately. The Swiss authorities thus intend to prevent the belligerents from obtaining, almost at will, part of their firearms from Swiss territory.

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Forty-seventh session

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Letter dated 18 December 1991 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to convey to you the text of a note verbale handed to the Ministry for Foreign Affairs of Australia by the Ambassador of Portugal in Canberra on 16 December 1991.

I would be grateful if you would kindly arrange for this letter and its annex to be circulated as an official document of the General Assembly, under the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", and of the Security Council.

(Signed) Fernando REINO
Ambassador
Permanent Representative of Portugal
to the United Nations

ANNEX

Note verbale handed on 16 December 1991 to the Ministry for Foreign Affairs of Australia by the Ambassador of Portugal in Canberra

"The Australian Federal Minister for Resources, Mr. Alan Griffiths, announced, on December 12, that eleven production sharing contracts have been approved for petroleum exploration in "Area A" defined by the "Timor-Gap Cooperation Treaty", signed on 11th December, 1989, by Australia and Indonesia.

Mr. Griffiths' announcement also indicated that eleven production sharing contracts will be executed within the coming thirty days between the "Joint Authority" established by the aforesaid Treaty and the selected applicants.

2. This decision aggravates the dispute existing between Australia and Portugal over East Timor submitted to the International Court of Justice, on 22nd February 1991.

3. In so doing, the Australian Government behaves directly against one of the requests formulated in the application instituting proceedings filed by Portugal, namely "(...) to refrain from any act relating to the exploration and exploitation of the continental shelf in the area of the Timor-Gap" (...)"

Moreover, Australia apparently intends to confront the Court with a "fait accompli" concerning the very object of the dispute.

4. The present action of a "Joint Authority" involving Australia and a third party will not exempt the Commonwealth of Australia from its individual responsibility for these new violations of international law, namely of the United Nations Charter.

5. Through this initiative Australia confirms and worsens the illicit nature of the facts denounced by Portugal in its application submitted to the International Court of Justice.

Furthermore, and regardless of the role played by a third power, Australia can cause very serious material damages to the people of East Timor.

6. The Portuguese Government strongly protests against these developments and reserves itself the right to obtain, through all the available legal means, from Australia, the companies involved in oil exploration in the above-mentioned area and from any other entities benefiting directly from that exploration, reparations due to the people of East Timor and to Portugal in virtue of all the damages caused by these new illegal actions.'"

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LETTER DATED 31 DECEMBER 1991 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, and further to our previous letters concerning violations of the cease-fire committed by the Kuwaiti side, I should like to inform you of further such cases of Kuwaiti violations. They are as follows:

1. At 0530 hours on 24 December 1991, a fighter aircraft was seen coming from Kuwaiti airspace. It overflew the town of Safwan at an altitude of 3,000 metres and at a speed of 500-700 kilometres per hour.

2. At 0610 hours on 24 December 1991, another fighter aircraft was seen coming from the same direction. It overflew the town of Safwan at the same altitude and at the same speed.

3. At 0600 hours on 25 December 1991, a fighter aircraft was monitored coming from Kuwaiti airspace towards Iraqi airspace. It overflew the town of Umm Qasr at an altitude of 4,000 metres and at a speed of 500-700 kilometres per hour.

4. At 0700 hours on 25 December 1991, a fighter aircraft was monitored flying over the town of Umm Qasr at an altitude of 3,000 metres and at a speed of 500-700 kilometres per hour.

5. At 1100 hours on 28 December 1991, a fighter aircraft was seen coming from Kuwaiti airspace towards Iraqi airspace. It overflew the town of Safwan at an altitude of 3,000 metres and at a speed of 400-600 kilometres per hour.

These actions on the part of Kuwait, which have assumed a continuous and repetitive character, are in violation of the provisions of the cease-fire laid down in Security Council resolution 687 (1991), of terms of the Secretary-General's report setting forth the mandate of the United Nations Iraq-Kuwait Observation Mission and of the provisions relating to the demilitarized zone.

In informing you of these irresponsible actions by Kuwait, we request you to take the necessary measures to bring them to a halt and prevent their future recurrence, as required by the provisions of the Charter of the United Nations and the principles that it embodies.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Sabah Talat KADRAT
Deputy Permanent Representative
Chargé d'affaires a.i.

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LETTER DATED 31 DECEMBER 1991 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I should like to inform you of further cases of Iranian actions that are in violation of the cease-fire between Iraq and Iran laid down in Security Council resolution 598 (1987). They are as follows:

1. At 1335 hours on 23 December 1991, two military helicopters were seen flying over coordinates 903986, inside the area of separation in the southern sector (maps of Tahiri and Shaykh Faris).

2. At 1345 hours on 23 December 1991, the same two aircraft were seen over coordinates 900036 and 913145 in the same sector. They then landed at coordinates 914135, four persons alighted from them and, at 1355 hours, they returned to Iranian airspace.

3. At 1550 hours on 24 December 1991, an Iranian military aircraft penetrated Iraqi airspace coming from Iranian airspace in the Muhammarah area. It flew over the Bubiyan border post at coordinates 904893 and then penetrated Iraqi airspace over the Makhfar Zayd area in the southern sector to a depth of 8 to 10 kilometres from the frontier, flying at moderate speed and at an altitude of 5,000 metres.

4. At 1030 hours on 29 December 1991, an Iranian military helicopter was observed coming from the direction of Abadan at an altitude of 400 metres and flying parallel to the east bank of the Shatt al-Arab inside the area of separation in the southern sector (map of Sibah).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Sabah Talat KADRAT
Deputy Permanent Representative
Chargé d'affaires a.i.

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LETTER DATED 31 DECEMBER 1991 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government and with reference to the letter dated 20 December 1991 from the Permanent Representative of Kuwait to the United Nations addressed to the President of the Security Council (S/23304), I should like to state the following:

1. In my letter of 17 December 1991 (S/23290), I set forth the relevant facts concerning the Iraqi police posts.

2. For its part, Kuwait, whose representative to the Organization lays claim to concern for commitment to the implementation of Security Council resolutions and for cooperation with the United Nations Iraq-Kuwait Observation Mission (UNIKOM), violated the provisions relating to the demilitarized zone when it altered the status quo in the zone by recently establishing 20 police posts, including 9 located less than 1,000 metres from the boundary line shown on the UNIKOM map, in an attempt to create a source of tension, friction and possible incidents. The locations of these nine posts in relation to the boundary line on the UNIKOM map are as follows:

(a) The Abdali post at coordinates 612320, 250 metres from the line;

(b) The Radkah post at coordinates 386315, 300 metres from the line;

(c) The Sakhriyat post at coordinates 447315, 400 metres from the line;

(d) The Umm Sadir post at coordinates 523317, 500 metres from the line;

(e) A post of unknown designation at coordinates 134243, 500 metres from the line;

(f) The Azimah post at coordinates 717278, 700 metres from the line;

(g) The Mazari' post at coordinates 649303, 700 metres from the line;

(h) The Khushan post at coordinates 187258, 800 metres from the line;

(i) A post of unknown designation at coordinates 762261, 800 metres from the line.

The truth of what we say is corroborated by the fact that, in the demilitarized zone, the Kuwaiti authorities committed 114 violations on land and another 86 in the air during the period 10 May-2 October 1991 alone, as stated in the Secretary-General's report on UNIKOM contained in document S/23106. This is in addition to the violations committed by the Kuwaiti side that were mentioned by the Secretary-General in his weekly reports on UNIKOM for the periods 25 November-1 December 1991, 2-8 December 1991, 9-15 December 1991 and 16-22 December 1991 and which clearly demonstrate the extent to which the Government of Kuwait is persisting in its disregard of Security Council resolutions and reports of the Secretary-General as well as its failure to accommodate itself to UNIKOM.

The claim made by the representative of Kuwait that there are Iraqi police posts inside Kuwaiti territory is groundless. His Government's demand for what he terms the "immediate dismantling" of Iraqi police posts is premature, inasmuch as the Iraq-Kuwait Boundary Demarcation Commission has, of course, yet to complete its work and it is presumed that it is the Commission which will establish the location of the boundary line between the two countries. Only then will it be determined what is Kuwaiti territory and what is Iraqi territory.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Sabah Talat KADRAT
Deputy Permanent Representative
Chargé d'affaires a.i.